

Message Text

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ACTION IO-10

INFO OCT-01 ISO-00 AF-10 ARA-10 EA-10 EUR-12 NEA-10 RSC-01

EB-07 AID-05 L-02 FRB-01 OMB-01 TAR-01 SP-02 SWF-01

AGR-10 CIAE-00 COME-00 INR-07 LAB-03 NSAE-00 OIC-02

SIL-01 STR-04 TRSE-00 CIEP-02 CEA-01 DLOS-05 DODE-00

PM-03 H-02 NSC-05 PA-02 PRS-01 SS-15 USIA-15 /162 W

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R 271932Z NOV 74

FM USMISSION USUN NEW YORK

TO SECSTATE WASHDC 7929

UNCLAS USUN 5476

E.O. 11652: N/A

TAGS: UNGA, EAID

SUBJ: 29TH UNGA: SECOND COMMITTEE: ITEM 42

DRAFT RES ON LAND-LOCKED DEVELOPING COUNTRIES

(L.1359/REV.1)

REF: STATE 247513

1. SECOND COMMITTEE 25 NOVEMBER ADOPTED SUBJECT DRAFT RES UNDER WHICH THE GA WOULD REQUEST THE SYG TO SUBMIT TO ITS SPECIAL SESSION NEXT SEPTEMBER, A COMPREHENSIVE STUDY ON THE TRANSIT PROBLEMS OF THE LAND-LOCKED DEVELOPING COUNTRIES AND A COMPLETE STUDY ON THE ESTABLISHMENT OF A FUND IN FAVOR OF THOSE COUNTRIES IN FACILITATING THEIR RIGHT OF FREE ACCESS TO AND FROM THE SEA, AS WILL BE IMPLEMENTED IN RELEVANT AGREEMENTS.

2. RES ADOPTED BY A ROLL-CALL VOTE OF 118(US)-0-6 (COLOMBIA, GABON, INDIA, KENYA, PAKISTAN, TOGO),

3. RES WAS PUT TO VOTE AFTER A NUMBER OF DELS HAD QUESTIONED THE RIGHT OF FREE ACCESS TO AND FROM THE
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SEA OF LAND-LOCKED COUNTRIES AND HAD SUGGESTED THAT

OP PARA FOUR OF THE TEXT BE MODIFIED.

4. SEPARATE VOTES WERE TAKEN ON OP PARA FOUR WHICH WAS RETAINED BY VOTE OF 66-5-45(US) AND ON OP PARA ONE (THE PARA RECOMMENDING A STUDY ON THE ESTABLISHMENT OF A FUND) WHICH WAS APPROVED BY 103-0-17(US).

5. IN DISCUSSION ON DRAFT RES PRIOR TO ADOPTION, UGANDA SAID IF THE LAND-LOCKED COUNTRIES WERE DENIED THE RIGHT TO FREE ACCESS TO THE SEA INTERNATIONAL TRADE AND ECONOMIC DEVELOPMENT IN GENERAL WOULD SUFFER.

6. PAKISTAN SAID UNDER INTERNATIONAL LAW, LAND-LOCKED COUNTRIES HAD NO ABSOLUTE RIGHT OF ACCESS TO THE SEA. THUS, THE ASSUMPTION IN OP PARA 4 WAS UNTENABLE, IN OPINION PAKISTAN. ALSO THAT THE ISSUE WAS STILL BEING STUDIED BY VARIOUS UNITED NATIONS BODIES, AND IT WAS NOT APPROPRIATE TO PREJUDGE IT AS THE DRAFT RES SEEMED TO DO, UNTIL THE CONCLUSIONS OF SUCH BODIES HAD BEEN CONSIDERED.

7. INDIA SAID WOULD BE UNABLE TO SUPPORT THE DRAFT IF ITS SPONSORS COULD NOT MODIFY IT.

8. AFGHANISTAN SAID THE RIGHT OF FREE ACCESS OF LAND-LOCKED COUNTRIES TO AND FROM THE SEA WAS RECOGNIZED BY THE INTERNATIONAL COMMUNITY AND WAS BASED ON FIRMLY-FOUNDED LEGAL PRINCIPLES. IN THIS CONNEXION, HE REFERRED TO THE GENERAL CONVENTION ON THE LAW OF THE SEA ADOPTED IN 1958, THE DECISIONS ADOPTED AT THE FOURTH SUMMIT CONFERENCE OF THE HEADS OF STATE HELD IN ALGIERS, AND THE KABUL DECLARATION. NEPAL MADE THE SAME POINTS.

9. KENYA ASSOCIATED SELF WITH THE POSITION OF PAKISTAN. HIS DELEGATION RECOGNIZED THE RIGHT TO FACILITATE THE TRANSIT OF LAND-LOCKED COUNTRIES TO AND FROM THE SEA, IN ACCORDANCE WITH RELEVANT AGREEMENTS.

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10. ALGERIA, NIGERIA, IVORY COAST, TUNISIA AND PERU ALL STRESSING THE NEED FOR A CONSENSUS, UNSUCCESSFULLY URGED THAT THE SPONSORS OF THE DRAFT REVERT IN OP PARA FOUR TO THE WORDING "IN ACCORDANCE WITH RELEVANT AGREEMENTS" OF THE TEXT OF THE RESOLUTION ON THE QUESTION ADOPTED LAST YEAR. THAT RES WAS MORE FLEXIBLE AND THERE WAS LITTLE DIFFERENCE BETWEEN BOTH TEXTS. ALGERIA ADDED THAT THE DRAFT REFERRED TO THE RIGHTS

OF LAND-LOCKED COUNTRIES, BUT SUCH COUNTRIES ALSO HAD DUTIES, HE SAID, CITING THE POSSIBILITY OF A LAND-LOCKED COUNTRY SEEKING TO SEND TROOPS AND WAR MATERIAL THROUGH A TRANSIT COUNTRY.

11. UPPER VOLTA STRESSED THE NEED TO HAVE ENSHRINED THE RIGHT OF FREE ACCESS TO AND FROM THE SEA, AND HE APPEALED TO ALL COUNTRIES WHICH HARBOURED MISGIVINGS TO ABANDON THEM AND SUPPORT THE DRAFT RES AS IT STOOD.

12. CHAIRMAN SAID CONSULTATIONS HAD BEEN TAKING PLACE FOR ALMOST A MONTH WITHOUT ANY AGREEMENT BEING REACHED. ACCORDINGLY HE PUT RESOLUTION TO A VOTE.
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: AGREEMENT DRAFT, LANDLOCKED COUNTRIES, LESS DEVELOPED COUNTRIES, UNGA RESOLUTIONS, COMMITTEES
Control Number: n/a
Copy: SINGLE
Draft Date: 27 NOV 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974USUNN05476
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D740345-0689
From: USUN NEW YORK
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t1974116/aaaaaeis.tel
Line Count: 129
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION IO
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: STATE 247513
Review Action: RELEASED, APPROVED
Review Authority: golinofr
Review Comment: n/a
Review Content Flags:
Review Date: 13 NOV 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <13 NOV 2002 by MorefiRH>; APPROVED <26 NOV 2002 by golinofr>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: 29TH UNGA: SECOND COMMITTEE: ITEM 42 DRAFT RES ON LAND-LOCKED DEVELOPING COUNTRIES
TAGS: EAID, US, UNGA
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005